

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREAS NOTTEBOHM, et al.,
Plaintiffs,

v.

AMERICAN HOME MORTGAGE
INVESTMENT CORP., et al.,
Defendants.

Case No. [14-cv-04047-SI](#)

**ORDER DENYING MOTION FOR
TEMPORARY RESTRAINING ORDER**

Re: Dkt. No. 48

Now before the Court is plaintiffs' application for a Temporary Restraining Order ("TRO"), filed today.

Plaintiffs initiated this litigation in state court in March of 2010, and have since sustained a number of adverse judgments on the merits of their claims. *See Nottebohm v. Am. Home Mortgage Servicing, Inc.*, No. A139030, 2014 WL 5035948, (Cal. Ct. App. Oct. 9, 2014). This case seeks to relitigate matters that have already been amply considered or that could have been raised in state court during the four and half years plaintiffs have been prosecuting this action. Plaintiffs provide no justification for why this Court should endeavor to review the final judgments rendered in state court. Less than a month ago, in this very federal action, Judge Alsup denied plaintiffs' motion for a TRO on these precise grounds. Docket No. 19 ("All of this has been previously litigated in state court (or could have been). No new federal issue is now raised that could not have been addressed in state court (and the Truth in Lending Act claims were in fact raised in state court). As such, this federal action is nothing but a second bite at the apple."). The Court is not inclined to depart from this reasoning. Accordingly, plaintiffs' motion for a TRO is DENIED.

IT IS SO ORDERED.

Dated: November 26, 2014



SUSAN ILLSTON
United States District Judge